

THE BRITISH COLONIST

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THE WEEKLY COLONIST.

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NOTICE:

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House of Assembly.

WEDNESDAY, Jan. 16, 1861.

Present—Speaker Helmcken; Messrs.
Crease, Burnaby, Cary, Gordon, Franklin,
Tolmie, McDonald and Waddington.Mr. Waddington, with respect to his
motion of yesterday, moved "for copies of the
contracts, with the dates and amounts
to be paid, for grading and macadamizing
Government street, from Johnson to Pan-
dora streets, and also for constructing a
cistern at the junction of Yates and Govern-
ment streets." The House is well aware of the
reason why I ask for these documents,
viz: because it appears to me that the
intentions of this House have not been carried
out with respect to those improvements.

SUPPLEMENTARY ESTIMATES.

The Speaker then read the Governor's
letter, enclosing the supplementary esti-
mate of moneys wanted for the use of the
government of this Colony, viz:Governor's Private Secretary..... £300
Departmental expenses..... 100
Clerk to Colonial Secretary..... 300
Departmental expenses..... 150
Clerk to Colonial Treasurer..... 250
Fuel, furniture, &c..... 70

£1,170

Mr. Waddington—Before going into Com-
mittee of Supplies, I would advert to the
very late period of the session at which this
subject has been brought before us. At
this twelfth hour, long after the time at
which the House had been lead to expect a
prorogation, and I must also say that the
want of consideration, the utter neglect of
polite usages shown towards this House by
that estimate, is a proof to me of the manner
in which we are regarded by the other
departments of the Government. It is well
known to the Governor and to the Council
that we want many necessities for our com-
fort. We have not even a shelf to put papers
on, and are obliged to meet in a cold and
uncomfortable place, and still no mention of
any sum for the purpose of providing us
with necessities, is made in these esti-
mates. We are not in a position to pay
heavy salaries. Our merchants here were
at present only making one-third of what
they made at the same season last year, and
could not afford to pay heavy taxes. These
are for only £1,170, and I might add more
to the amount. Nothing is said of the
£5,000 owed by the Hospital, nor of the
lands of this Colony. It is a well under-
stood thing that the House is desirous to
obtain power of them [Carey—Question].
I am to the question, and can prove it. If
we had the power to dispose of the Crown
lands, we could do so in a manner calcu-
lated to increase the population of the
Colony. We can now hardly take up a
paper published in any English Colony, but
we see advertisements of free grants,
besides if we had the disposal of the Crown
lands in our own hands, we should have
the means of providing for any expenditure
called for. Would some hon. member state
the probable amount of money we shall have
to furnish for the purposes of this estimate?Mr. McDonald—With regard to the
Crown Lands, the last time this House vot-
ed supplies, a promise was made by the
government that the lands should be put under
the control of the House. That has not
been done, and if we do grant these sums,
where is the necessary money to come
from.Mr. Burnaby—With reference to this
question of means, we were told when the
Fire Department's suggestions were before
the House that there were no funds. Now I
certainly think some member of the govern-
ment ought to make a statement whether or
no there is surplus funds to cover this esti-
mate, or if the imposition of taxes will be
necessary.Mr. Crease—We should call upon the
hon. member who introduced the estimates,
to show if it will be necessary or not to pro-
pose the session for the purpose of meet-
ing the expenses of these estimates, if it
can be shown that without any new taxation
we can pay for those expenses, why then
we can entertain the proposition; but we
should go into consideration of them in a
business-like manner—know what funds are
at our disposal, and be shown the reasons
for these demands on the part of the gov-
ernment.Mr. Waddington—The hon. gentleman is
mistaken, we must first go into Committee of Supply and then into Committee of Ways
and Means.Mr. Cary—It is at present impossible for
any member of the government to state
positively what amount of surplus there
will be after paying all the supplies voted to
the Crown; but we may anticipate a mar-
gin, to what extent no one can as yet say.
The hon. gentleman in speaking of the Fire
Department was under a mistake. His Ex-
cellency's language was: "There are no
funds at his disposal," which was a per-
fectly legitimate one. His Excellency, in
sending down these estimates to the House,
has done so for the purpose of being in aposition to abolish the inconvenience daily
felt by the various departments in this col-
ony—felt even by this House—for at pres-
ent there is not even a scribe to write com-
munications from His Excellency to the
House. That labor has been so far per-
formed by volunteers. But let us look at
the estimates. You will find Mr. Speaker
that they are for clerks to the Treasury and
Secretary's offices, a Private Secretary to
His Excellency, and necessary departmental
expenses. Now, if any gentleman will
take the trouble to examine the state of these
offices he will find that a great amount of
labor is wanted to put them in the efficient
position they ought to hold. The necessity
for assistance is felt and those estimates are
for the purpose of giving some help to the
machinery of the government. The gov-
ernment does not require any new tax to be
levied, but merely liberty to pay for the
necessary assistance out of any monies
which may be left in their hands, as a sur-
plus from the votes already granted by the
House. It is the Governor's desire and
province to consult the House on all matters
of finance, and His Excellency has accord-
ingly sent down these estimates. I would
propose that the House now go into Com-
mittee of Supply.The Speaker then put it to vote whether
or no he should leave the Chair and the
House go into Committee of Supply, when
the vote stood: Ayes—Cary, Crease, Bur-
naby, Gordon, Noes—Franklin, McDonald
and Tolmie, Waddington.The Speaker having given the casting
vote in favor of the ayes, the House went
into Committee of the Whole on the ques-
tion, Mr. Waddington in the Chair.Mr. Burnaby then moved that the pro-
posed expenditure of £1,170 be reduced to
£1,120, to be appropriated as follows:Two clerks for general business at £250 per an-
num each, for 6 months from Jan. 1, 1861, £250
Governor's office expenses..... 35
Colonial Secretary's do..... 35
Treasury do do furniture, etc. 60
Sundry expenses House of Assembly..... 50

£430

Mr. Franklin seconded the motion and
would ask for information as to the state of
the finances before taking any further steps.
He believed much of the expenses proposed
were unnecessary, but the lateness of the
session would not permit of any tax being
levied to meet them. I am quite willing to
furnish the necessary assurance if it can be
shown that there is sufficient funds, but very
unwilling indeed to make any new tax, for
the purpose of giving that assistance.Mr. Helmcken—I am agreeable that the
salary should commence on the 1st of Jan-
uary; but as to whether the clerks are ne-
cessary I do not know. If the Colonial
Secretary has too much to do, let him give
all his attention to the colony of Vancouver
Island. And I really do not see what the
Treasurer wants of a clerk. At any rate we
cannot enter upon the question of clerks for
those offices, as they have been disallowed
at a previous period of this session. The
salary of £500 was voted for the Colonial
Secretary, and honorable gentlemen must
remember that it was at first proposed to
be only £400, but the extra £100 was added
as there was no clerk. Now, if the Colonial
Secretary finds help necessary let him give
more of his own time and attention to the
business. We must remember that we are
in a new Colony, and in all new colonies,
people have to make shifts—the old fashions
of routine and all that sort will not do.
The people who are taxed to pay these sal-
aries have to work not six but ten hours a
day, and I say let those who receive the
salaries do the same. As for these general
clerks, I do not like the idea, as I anticipate
that instead of assistance to the various
offices, they will only become dissentions,
and the position occupied by them will be
like a football, kicked everywhere; besides
it seems to be lost to the remembrance of
the House, that there was a decision made
by them respecting a particular vote on the
Civil List—viz: that the sums were not to be
paid until the Crown lands had been given
over to the control of the House, and if we cannot pay the salaries of the prin-
cipals out of the Crown Revenue, neither can
we pay those of the clerks.[A great deal of discussion and reference
to the books of the House here took place
between the hon. gentleman and Mr. Cary
assisted by several others; but it was at
length determined that the salaries of the
principals can be paid by the Crown Re-
venues.]Mr. Helmcken continued and proposed
an amendment to Mr. Burnaby's resolution;
"That the two salaries of clerks for Colonial
Secretary and Treasurer having already
been refused during the session cannot
again be entertained, but the House is willing
to provide for the service of two clerks
to be employed generally in the public
offices on Vancouver Island business as they
may be required."Dr. Tolmie perfectly agreed with the hon.
gentleman. If there was too much business
for the Colonial Secretary; let him devote
all his attention to the Vancouver Island
business—a man cannot serve two masters,
and the Colonial Secretary could not serve
two colonies.Mr. Cary then spoke at some length in
explaining why the clerk for the Treasurer
was deemed necessary, and expressing sur-
prise that any hon. gentleman should make
an attack on the Treasurer. Mr. Helmcken
explained, it was not the man but the prin-
ciple he was averse to.The Committee having agreed to the
amended resolution, rose and reported to
the Speaker, who then read the message
from the Governor transmitting the follow-
ing "Schedule of acts passed, and assented to by his Excellency the Governor, and the
date of his assent—Administration of Oaths
bill, July 9. Joint-Stock Companies Act,
1860, August 27. Act for the payment of
certain Salaries, August 28. Bill of Supply
£3,207 14s. 1d., August 28. Bill of Supply
£9,364, August 28. Act to improve Streets
of Victoria, August 28. Firemen's Protection
Act, 1860, August 28. Trade Li-
cences Act, 1860, August 28. Indian Li-quor Act, 1860, Nov. 2. Road Act, Nov.
24. Act to cure Imperfect Titles, 1860,
Dec. 10. Real Estate Tax Act, 1860, Dec.
10. Victoria and Esquimalt Harbor Dues
Act, 1860, Dec. 19. Minor Offences Act,
1860, Dec. 19. Limitation of Foreign Act,
1860. Dec. 19. Annual Registration of
Voter's Act, 1860, Dec. 17. Record Act, 1860,
Dec. 29. Act for confirming Certain Titles
from the Hudson Bay Company, Dec. 19.THURSDAY, Jan. 17, 1861.
Present—Speaker Helmcken, Crease,
Burnaby, Cary, Gordon, Franklin, Wad-
dington and Tolmie.The Speaker, in pursuance of the order
of the day, read the report of the Commit-
tee of Supply, which Report having been
adopted, the Speaker stated that it would
be necessary for the House to go into Com-
mittee of Ways and Means; and it was de-
cided to be the order of the day for to-
morrow.

FIRE DEPARTMENT.

Mr. Gordon then proposed a resolution in
answer to the Governor's Message, respect-
ing the Fire Department, which after a few
minutes' discussion, was ordered to be re-
ferred back to Committee of Conference.

STREET CONTRACTS.

A Message from His Excellency the Governor
stating that a requisition had been
made upon the Colonial Surveyor for the
information required by the House respecting
street contracts, and would be furnished
as soon as possible.The House then adjourned until Friday,
18th.

HOLLOWAY'S OINTMENT AND PILLS.

ACUTE RHEUMATISM.—In all severe pains
in the joints or muscles, after due fomenta-
tion with warm water, the soothing action
of this ointment is most remarkable; it
seems at once to lessen inflammation, ease
pain, reduce the swelling, restore the free
circulation, and expel the disease. In these
complaints, indeed, Holloway's Ointment
and Pills are an infallible specific. The
Ointment should be rubbed as near the part
in pain as the patient can bear; it is ab-
sorbed and directly conveyed to the dis-
eased textures, where, acting on nerves,
and guiders, it will arrest disease and again
establish healthy action. The aperient
qualities of these Pills have the happiest
effect in assisting the Ointment.The House then adjourned until Friday,
18th.

FOR SALE—TO LET.

TO LET OR LEASE.

BRICK STORE,

Corner of Douglas and Fort streets.

ONE OF THE BEST SITUATIONS FOR
A FAMILY GROCERY; RENT LOW.

APARTMENTS OR SINGLE ROOMS

Upstairs, rent \$6 per month each room (private
entrance).All rooms well and hard finished, with fireplaces
and wash room attached to the building.Lot 30 x 40 on Yates street below Douglas, with
alley in the rear. Lot on Fort street next to corner
of Douglas. Lot and Store on Humboldt street next
to corner of Government. Small Cottage, 2 rooms, on
Douglas alley corner of Douglas and Yates
streets, rent \$8 per month.

Small Lot on Douglas street near Fort street.

Apply to C. VEREYDHEN,

Brick Building, corner Douglas and Fort streets.

Or to J. B. TIMMERMAN, Government street.

d27 1m

TO LEASE

FOR A LONG TERM, A LOT ON LANG-
LEY Street.

Apply to W. CULVERWELL,

Cor Langley and Yates streets.

TO LET.

THE LARGE ROOM IN THE REAR
of Stationers' Hall, Langley Street, heretofore

occupied by the "Victoria Gazette." Apply to

HIBBEN & CARSWELL,
Stationers' Hall.

d29 1m

To Rent! To Rent!

A FIREPROOF STORE.

TO RENT—THE FIREPROOF BRICK STORE
in the "Colonist Building," Government street,
near the Post Office. It will be rented low, if applica-
tion be made at once. It is well fitted with Counter
and Shelves for a Grocer or Dry Goods man.

A. DE COSMOS.

n3 2dp

LD. LOVENBERG.

REAL ESTATE AGENT.

East side of Government st., bet. Yates & Johnson.

WILL PAY PARTICULAR ATTENTION TO
SELLING, PURCHASING, AND LEASING PROPERTY, TO
NEGOTIATING LOANS, AND TRANSACTING EVERYTHING CON-
NEXED WITH REAL ESTATE, ETC.May be seen in office. Parties desirous of purchasing
estates, or making investments, will find on myBulletin Board Town Lots in nearly every street; Farming or Gardening Land in every District; some
of which afford a rare chance for investment.Conveyances, leases, &c., drawn up at reasonable
rates.

d23 1m

GARDEN SEEDS,

—OR—

Wm. Culverwell's

GENERAL AGENCY

For the Collection of Rents and Debts,

AND FOR THE

Leasing of Houses and Lands,

Having been removed to the new Fireproof
Building, at the corner of

YATES AND LANGLEY STREETS,

He is prepared to transact all business which may be
intrusted to his care, in a correct manner.

Attached to the Agency is an

INTELLIGENCE OFFICE,

in which persons wishing to engage help or seeking
situations may record their names.

Money LONed on Good Security.

NOTES DISCOUNTED.

Bookkeeper, Accountant, Documents Copied

etc., etc., etc.

In cases requiring a power of Attorney security
will be furnished.

Ja2 1m

BOOKS!

NOW OPENING AT

HIBBEN & CARSWELL'S,

A SPLENDID ASSORTMENT OF

Standard and Miscellaneous Books,

—COMPRISING—

A LARGER NUMBER OF VOLUMES,

and upon a greater variety of subjects, than has ever
been seen in this market.Those interested are respectfully invited to call and
frost their eyes to their heart's content—Gratis—atNOVELS in abundance for those who like to read
them.

d29 1s

HAN'S D. BURTON ALE IN FINE CON-

SH COLONIST

OVERTISERS.

unless the time for which they specified, will be continued until charged.

to Subscribers.

the DAILY or WEEKLY BRITISH COLUMBIA or WASHINGTON TERRITORY notified that on and after this day will be sent by MAIL, unless specially some other conveyance.

1A. NOV. 17th, 1861.

Friday Morning, Jan. 18, 1861.

The Gunpowder.

After all said and done, this explosive agent, so long a habitant of the Hudson Bay Company's Magazine, has taken up its quarters elsewhere. It has been removed from its dangerous resting-place to the hold of the old steamer Beaver, which is thus converted into a temporary magazine for its accommodation. That the authorities have at last awakened from the comfortable snooze they have been so long enjoying, cannot but be source of gratification to all right-thinking people. Cross-grained folks are of course not expected to be satisfied with everything, and may still grumble somewhat because a better repository, and one more remote from town has not been selected. We go on the principle that "half a loaf is better than no bread," and although we should much prefer to have the whole loaf, we are content at present to put up with what we can get, and feel happy in announcing that the powder has been taken away. Day in and day out, for some time back, we have been troubled with horrid fancies concerning that identical powder. We have seen (in our mind's eye) our fair and growing city, a heap of ruins, with a tottering wall here and there to mark the spot where once an elegant building stood; we have seen headless, blackened trunks, and legs and arms lying around in a state of confusion that their owners never could have imagined they would ever reach; and all because the Government would rather risk the lives of our citizens than risk a falling out with the Hudson Bay Company. Seriously, the inactivity of the Government in this regard, has been very strongly marked, and it has acted unwisely—not to say criminal—in thus allowing so dangerous, though none the less useful, commodity to remain so long in the heart of the city. We are glad that it is away, and we are sure that every other citizen will be glad too, on learning the fact.

The next move that must be made is to get it still further away from town—in some secluded spot where, if an explosion took place, no harm, except to the magazine, would ensue. We congratulate our citizens upon the fact that there is no immediate danger of their being blown up—unless by their better-halves, when they chance to stay out too late o' nights.

Arrival of the Caledonia.

This steamer arrived from New Westminster at eight o'clock yesterday morning. She brought fifteen passengers, and Ballou's Express, with a small amount of gold dust.

The steamer Hope had broken her piston-rod when near Harrison River, and was tied up in that vicinity awaiting repairs. Her piston is on its way in a whale-boat to Victoria, having left Westminster on Monday last.

The Fort Yale and Maria are only able to reach Harrison River, owing to the large quantity of drift-ice on the river.

The weather has been intensely cold in the mountains, but as the miners were mostly prepared for it, there has been no suffering.

The following items from our old correspondent, Wm. T. Ballou, Esq., will be found interesting:

NEW WESTMINSTER, January 16, 1861. Dunbar's Express got in at Hope, Jan. 12. He reports snow on the mountain between Hope and Similkameen from 3 to 30 feet deep, and the road very difficult to travel. He will not make the trip once per month unless some encouragement from government is afforded. Similkameen River is blocked with ice; Rock Creek is frozen up. Provisions are scarce and high at Similkameen. Provisions and money plenty at Rock Creek. The miners are idle on account of the ice, but it is soon expected to break up, when they will do a large business.

Government should do something towards keeping open the route between Hope and Similkameen, and Dunbar's energy should be rewarded. Were it not for him, Rock Creek, now the richest mining locality in British Columbia, would be in obscurity. A small amount would be of benefit to the colony, and would tend to draw the trade and travel via Hope instead of Oregon.

The river is filled with ice for 3½ miles between Hope and Yale. At the mouth of Harrison River the ice has broken away at the orchard, and the steamer Hope has dropped down to within 2 miles of Cowlitz.

A sapper froze to death on the long portage between Douglas and Cayoosh. His name was James Duffey. Much suffering is experienced in making passages from above to New Westminster.

The severest weather I have ever seen on the river I experienced from the 6th to the 13th ult.

Sutton & Helmering have put up a large

quantity of the finest ice I have ever seen at Hope.

No express from above, the weather being so bad messengers cannot travel. One express from Cariboo was last heard from at Lytton *en route* down. News from above very good.

The Henrietta left New Westminster for Douglas this morning. I had the hardest trip up and back I have ever had on the river, and am completely broken down. I will be in Victoria shortly. Got here last night in a canoe.

Yours in great haste,
W. T. BALLOU.

NEW ADVERTISEMENTS

Philharmonic Society.

THE ELECTION OF OFFICERS FOR THE ensuing year will be held THIS EVENING, at half-past 7 o'clock.

R. HOMFRAY,
Hon. Secy.

Dog Poisoning.

ONE HUNDRED DOLLARS WILL BE PAID for information that will lead to the arrest and conviction of the party or parties guilty of poisoning the TERRIER BITCH belonging to the undersigned, on Wednesday evening last, in the vicinity of Musical Hall.

F. V. LEE,
American Saloon, Yates street.

Information Wanted.

ANDREW PARDEE LEFT HUMBOLDT, California, in 1858, for Fraser River, and has not been heard from since; is of light complexion, and 36 years old. Any one knowing of his whereabouts would confer a great favor by writing to his father, A. L. PARDEE, Union Town, Humboldt Bay, Cal.; or Dr. PARDEE, San Francisco. ja18 1m

Printing Office for Sale.

TO BE SOLD BY AUCTION, (Unless previously disposed of by private contract,) By P. M. Backus,

On the Premises.

On Saturday, January 26th, 1861,

At 12 o'clock, noon,

THE PRESSES AND MATERIAL

Of the late

Victoria Gazette Office,

Comprising a No. 3 Hoe's Improved Hand Press; A Fourfold Hinged Press, both with Roller Moulds, etc., complete; and a complete set of Book work; Newspaper and Job Type, from Nonpareil to 30 line.

For particulars apply to

Mr. DRENES, Solicitor, Bayview street; and Mr. CULVERWELL, Yates street. ja18 1m

Moore's Musical Hall.

The POTTER DRAMATIC TROUPE beg leave most respectfully to announce to the citizens of Victoria and the patrons of the Drama generally, that this magnificent Temple of the Drama will be opened for their reception this

FRIDAY EVENING, Jan. 18, 1861.

Will be presented Shield's beautiful Play, entitled, DAMON AND PYTHIAS.

Favorite Song and Dance, by..... Miss Lulu Sweet, Comic Song,..... Mr. Spurgeon.

To conclude with the laughable Farce, entitled, Comic Song and Chorus (DIXEY'S LAND), by Messrs. Spurgeon, Franklin, etc., etc., etc.

THE HAPPY MAN.

ADMISSION—Parquette or Dress Circle, \$1; Gallery or back seats, 50 cents.

Doors open at 6½; performance to commence at 7.

J. G. KENYON,

THE

Natural Ventriloquist,

AND

Celebrated Magician,

Will give ONE of his Inimitable Entertainments of

MUSIC AND FUN,

THIS (FRIDAY) EVENING,

18th inst., at the

VICTORIA THEATRE.

Reserved Seats..... \$1 00

Gallery 50

ja18 1m

VANCOUVER ISLAND COLONY,

TO WIT:

COURT OF ASSIZES AND GENERAL GAOL.

GAOL DELIVERY is appointed to be held on MONDAY, the 28th day of January, instant, at the Court House, Victoria, at the hour of Ten in the forenoon, before the Honorable Chief Justice Cameron, a Justice of our Lady the Queen, assigned to inquire, hear and determine of all Treasons, Felonies, Misdeeds, Offences and Injuries, whatsoever, and wheresoever within the said Colony committed.

And also to deliver all the Gaols, and every the Gaol of our Lady the Queen, in the said Colony.

WM. BROOKE NAYLOR,
Sheriff of Vancouver Is., and

Sheriff's Office, Victoria, January 17th, 1861.

Notice to Contractors.

SEALED TENDERS WILL BE RECEIVED

for the Construction of Two Bridges over Rock Bay and at Point Ellice, in accordance with the Victoria Bridge Removal Act, 1859, up to Wednesday, the 23rd instant, at 12 o'clock, at the Office of Messrs. Janion & Green, where the plans and specifications can be seen on Saturday.

The lowest or any tender not necessarily accepted, Victoria, V. I., 18th January, 1861.

Trees! Trees!! Trees!!!

JUST RECEIVED, PER STEAMER

Eliza Anderson!

From the Olympia Natives,

A fresh assortment of Apple, Pear, Cherry and Plum Trees, (warranted.) For sale by

PEASE & BOYCE,
Union Wharf.

Dyspepsia, Fever and Ague, In-

digestion, Sour Stomach, Heart Burn, Water Blisters,

Biliousness, Liver Complaint, Acidity, Flatulency,

Jaundie, Change of Climate, Sick Headache, Loss of

Appetite, Female Complaints, Oppression after Eat-

ing, and General Debility are rapidly, effectually and

surely cured by the OXYGENATED BIT-

TERS.

CALIFORNIA EVIDENCE,

Mokelumne Hill, Cal., June 16th, 1858.

Having suffered for fifteen years with Dyspepsia, in

its worst form, and having consulted with the best

physicians, and tried everything recommended with

out relief, I was induced to try the Oxygenated Bit-

ters, and before I had taken one bottle I found my

self much better, and continued taking them until I

was entirely cured, and now enjoy as good health as

I ever did in my life. I take pleasure in recommend-

ing them to all who are similarly afflicted.

JAS. LANGSHORE.

The "Oxygenated Bitters" are sold in California

by Henry Johnson & Co., Reddington & Co., and Chas.

Morrill, San Francisco; R. H. McDonald & Co., and

Chas. Morris & Co., Sacramento; Rice & Coffin, Marysville; Smith & Davis, Portland, Oregon. (21-1y

1861.)

BUREAUS, CHAIRS AND ROCKING

CHAIRS, for sale by

E. BACKUS, Yates street.

Y. 1m2dp

THE BRITISH COLONIST

Friday Morning, Jan. 18, 1861.

LOCAL INTELLIGENCE.

Decision in the Cary-Nias Case.

Chief Justice Cameron yesterday morning, delivered a decision in the famous case of Attorney General Cary *vs.* Geo. E. Nias, late proprietor of the Victoria *Gazette* newspaper. His Lordship decided that there had not been a single particle of evidence adduced to prove a partnership between the parties; the claim Mr. Cary has upon the plant of the establishment being a simple chattel mortgage, and the course of the Attorney General, in coming before the Court and asking for a foreclosure, was perfectly proper. An account must be taken as to the state of the affairs of the concern. The money claimed by Mr. Cary (\$1,303) seems to have been advanced without any agreement as to the consideration he was to receive in return for such advance, although the defendant alleges that certain privileges (which were set forth in his answer to the complaint) was in consideration. The defendant, by the foreclosure of the mortgage, has been put to great loss by the stoppage of his paper, and although it is usual in such cases that the mortgagee shall be entitled to full costs, yet there have been exceptions to that rule, and as it appeared that defendant had suffered the most by the foreclosure—although it was quite natural that the plaintiff should foreclose on learning that defendant set up a claim of partnership—his Lordship thought it should be but just to make each party pay his own costs. The receiver's costs must come out of the plant first; the \$1,303 will then be paid Mr. Cary, and the balance paid to the defendant. Mr. Cary asked, if out of the proceeds of the sale, the court and receiver's costs must not be paid?

His Lordship—Oh, no. Each party must pay his own costs of court.

Mr. Cary—Very well. Then, after everything but the costs of court are paid, the balance remaining will go to the defendant?

His Lordship—Yes; and unless there is an agreement between the parties as to the amount at which the establishment will be sold, an appraiser must be appointed, and the office sold according to his decision.

Mr. Ring, counsel for the defendant, complained that an agreement had been made on a certain day for the sale, and that the auctioneer was prevented from proceeding, and the sale stopped by an order from the plaintiff's solicitor.

Mr. Cary replied that if any motion of that kind was to be brought forward, it should be done by giving notice, and he would then be ready with a satisfactory explanation of the cause of stoppage.

The Court then adjourned; it being understood that the office will be sold on Saturday, 26th inst.

AN INCIDENT.—On Wednesday evening, a little terrier slut, belonging to a gentleman of this city, was poisoned by some mean fellow on Yates street. The poor animal, in the agonies of death, searched for its owner in several places of public resort, and finally, discovering that he was in Musical Hall, sought him out, and raising herself on her hind legs, placed her paws against him, and died while in that position, her owner being unaware of her presence, until, upon looking down, he discovered that she was dead.

THE "PACIFIC."—By papers received on the arrival of the Eliza Anderson yesterday, we see that nothing had been heard of the Pacific at Portland up to 11th instant—consequently the rumor, purporting to have come from Port Townsend, regarding her loss, must have been false. She was advertised to leave San Francisco on the 5th; our impression now is that she did not leave that port till the 8th or 9th, in which event we may look for the Santa Cruz to-day or to-morrow.

GOING HEAVY INTO BUSINESS.—Sergeant Blake, last evening, arrested a Chinaman, known as "Jim," on Johnson street, who had in his possession almost a sufficient quantity of female wearing apparel to stock a London old clo' shop in Petticoat lane. Among the articles were two pairs of spectacles, several pairs of scissors, and a piece of black silk. He is supposed to have stolen the articles, and they are detained at the police office for identification.

THE CARY-NIAS CASE.—We have been requested to state, by the counsel on both sides in this case, that Mr. J. J. Southgate's connection with the *Gazette* newspaper was merely that of a nominal trustee of a small portion of the amount loaned by Attorney General Cary to Mr. Nias—his name having been injudiciously used during his absence in San Francisco, without his knowledge or consent.

TIGER ENGINE COMPANY No. 2.—At a regular meeting of this highly efficient company, the following officers were elected for the ensuing six months: Foreman—Edward Coker; Assistant Foreman—S. L. Kelly; Second Assistant—Wm. Wood; Treasurer—John Parker; Secretary—C. C. Cushman; Delegates—John M. Thain, Thos. H. McCann, Edward F. Boyce.

CORRECTION.—Thos. Boyd, and not Boyce, was the name of the person who died at the Royal Hospital on Sunday last.

THE GREATEST DISCOVERY YET.—We are advised, by the arrival of the Caledonia, that new and richer gold diggings than has ever been found in our sister colony, have been lately struck above Fort George. The discoverers are a party of miners who had turned for traders, and were bartering goods for skins with the Indians, when they tested a small stream, a tributary of the Fraser, and obtained a good prospect. They then set to work and took out three thousand dollars in a few days! The parties are in town, and as our information comes from a perfectly reliable source, we place implicit confidence in it. We have been promised an interview with one of the discoverers, and should we obtain it, will lay the result of our inquiries before our readers.

VICTORIA THEATRE.—In "Lola Montez," last evening, Miss Susan Robinson was greatly admired, and her efforts to please continually applauded. During the interlude she delighted the audience with the affecting ballad of "Give me three grains of corn, Mother," an incident during the famine in Ireland. It is a beautiful ballad, and was well sung. The afterpiece of "Mistaken Fathers," created heaps of fun. Mr. Mortimer took the character of Porcelain in this piece, and brought down the house whenever he essayed to speak. Miss Clara's Biddy Larrigan was prime, and Emily, by Miss Susan, admirable. As Old Delphi, Mr. J. B. Robinson caused much merriment; and W. H. Robinson's Diggory contributed greatly towards the success of the piece.

A NOVEL FEAT.—We understand that a wager of \$1000 has been made between parties in this town, that one Knox, a resident, will be able to walk 100 consecutive hours without cessation. The money has been deposited with Messrs. Wells, Fargo & Co. The walking will commence on Tuesday next, at the American Saloon, Yates street.

MUSICAL HALL.—"Damon and Pythias," "The Happy Man," and the usual quantity of singing and dancing will be given at this theatre. The bill is one of the best ever offered here, and the mere mention of the fact, that Miss Lulu Sweet will appear as Colanthe in the principal piece, should be sufficient to insure a full house.

MAGIC.—Mr. Kenyon, a well-known ventriloquist, will give one of his choice entertainments this evening at the Victoria Theatre. As a magician and ventriloquist, Mr. K. is not excelled, and a rare treat may be expected by those who seize this opportunity of witnessing his eccentric feats.

THE HEIR TO THE THRONE OF ITALY.—Prince Humbert, a youth now in his seventeenth year—a bold and elegant rider, a first-rate marksman with the rifle, exhibiting skill and endurance in all manly exercises, endowed with a fair, open countenance, in which the soldier-like honest men of the father is blended with the delicate features and sweet expression of the mother, distinguished by affable manners and a graceful address—wins golden opinions of the multitude as he goes along the thronged streets, bowing when bowed to, mounted on his light-grey Arab. The seed which his father and grandfather sowed in sorrow and in blood will have grown up into a full and glorious harvest by the time this fortunate youth succeeds to the throne. That throne to which so many of his race aspired in the secret of their hearts almost ever since the days of the First Humbert, will fall to the lot of this Fourth Humbert by a series of prosperous vicissitudes, than which nothing more marvellous was ever woven in the mysterious web of Providence. The fulness of the time is almost at hand, yet the final issue still trembles in the scales of Fate.

"Method," said Cecil—afterwards Lord Burleigh—"is something like packing things in a box; a good packer will get in half as much again as a bad one."

It is a great mistake to suppose that *new* women are generally ill-tempered and that sluts are generally sweet-tempered.

Wistar's Balsam of Wild Cherry.—The only pure and genuine Balsam is, and for the last twenty years has been, prepared by SETH W. FOWLER & Co., of Boston; and their printed name, as well as the written signature of L. BUTTS, appear on the outer wrapper. As you would take the spirit and have the genuine, take the other!

WISTAR'S BALSAM OF WILD CHERRY.—This is the best one extant for the safe, sure, and permanent cure of Coughs, Colds, Sore Throat, Croup, Asthma, Pleurisy, Pneumonia, Croup, Whooping Cough, Bleeding at the Lungs, in the breast or side, and in fact every form of Throat, Chest and Lung Complaint, as well as Consumption itself.

This household remedy should be in the hands of every family and individual, as a timely application of it, to a slight cold will cause immediate relief; while cases of long standing, obstinate, and apparently incurable character, will surely yield to its wonderful curative powers and its great adaptation to the wants of man when afflicted.

For sale in California by Redington & Co., Henry Johnson & Co., Charles Morrell, San Francisco; K. H. McDonald & Co., Sacramento; Rice, Collin & Co., San Fran; Smith & Davis, Portland, Oregon.

12d-eow-ly

M. PRAG.

Yates street,
offers for sale, cheap,

HARDWARE,

Agricultural Implements,

Bar Iron, Steel & Iron-Mongery,

STOVE & TINWARE

* of every description.

Glass and Crockery Ware, Wood and Willow Ware &c. &c.

VULCAN IRONWORKS COMPANY

FIRST STREET,

San Francisco, California,

HAVING A LARGE STOCK OF PAT-

TERNS on hand, are prepared to execute all kinds

OF CASTINGS

For Iron Fronts, Steamboat and Quartz-mill Machinery, etc.

Proprietors of Morse's Patent Fire Grates.

For further particulars inquire of R. Lewis, Builder, corner of Broughton and Government streets, Victoria, who is our authorized Agent for Vancouver Island and British Columbia.

121m

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MISCELLANEOUS.

Bank
of
British North America.
ESTABLISHED IN 1836.
Incorporated by Royal Charter in 1840
CAPITAL - \$5,000,000.
VICTORIA BRANCH.

SPECIAL DEPOSITS received in sums of \$100 and upwards, repayable on demand. Charge for safe keeping, ONE-QUARTER OF ONE PER CENT. PER MONTH.

GOLD DUST received for safe keeping at the rate of FIVE CENTS PER OUNCE PER MONTH.

Drafts Issued on London,

60 days after sight, at the rate of \$4 95 per £1 stg.

3 days after sight, (in sums of \$50 and upwards)..... \$5 per £1 stg.

3 days after sight, (in sums under \$50)..... \$5 per £1 stg.

DRAFFTS on demand or at short sight, issued on the principal Cities and Towns in Scotland and Ireland, at the rate of \$5 per £1 stg.

DRAFFTS on the Principal Cities in the North American Provinces, at 8 days sight, as follows:

Canada,..... 4 per cent. premium.

New Brunswick,..... 4 per cent. do.

Nova Scotia,..... 2 1/2 per cent. do.

Drafts on New York, at 3 days sight, 3 per cent. prem.

" Messrs. B. Davidson & May, San Fran-

cisco, at sight, 1 per cent.

OFFICE HOURS 10 to 2. SATURDAYS 10 to 1. F. W. WOOD, Manager.

Victoria, Feb. 3d, 1860.

A. GILMORE,
TAILOR,
Yates street, third door below Government street,
AS RECEIVED BY THE LATEST
are a large assortment of Custom-made
WINTER CLOTHING
AND

Gents' Furnishing Goods,
With a well assorted Stock of Cloths, consisting of

Pilot, Beaver, Cassimere,
Fancy and Black Doeskin,

Fancy Velvet and Silk Vest Patterns,
Which I am prepared to make to order in the latest
and most improved styles.

My Stock is wholly composed of Gentlemen's
Goods and my personal attention entirely devoted
to rendering satisfaction to my patrons.

The Tailoring Department connected with my

Ready-made Clothing, enables me to sell the same
quality of goods cheaper than any other establish-
ment in Victoria.

Those parties desirous of durable and well fitting
garments would find it advantageous to call.

242 fm

COLLEGIATE SCHOOL,
VICTORIA, V. I.

A N EVENING SCHOOL FOR ADULTS,
A in charge of the undersigned, will at once be
commenced for four Evenings in the week, offering
the means of instruction in—

Reading, Writing, Ciphering,
And the more advanced Branches of an English
Education.

Classes will also be formed for the Teaching of
BOOK-KEEPING—Single and Double Entry,
DRAWING—Line or Architectural, Figure or
Landscape.

N.B.—Age of Admission not under 16 years.

HOURS—Half past 6 till 9 P.M.

TERMS—Average \$5 per month, in advance.

No School on Mondays and Saturdays.

Address, Mr. E. BALLANDAINE, between 9 A.M. and 12 M., to

MR. E. BALLANDAINE.

THE NORTHERN

ASSURANCE COMPANY,
(ESTABLISHED 1836),

For Fire and Life Assurance

AT HOME AND ABROAD.

CAPITAL £1,250,700 STERLING.

The undersigned have been appointed Agents

Victoria JANION & GREEN, au24 fm

Victoria, August, 1860.

P. M. BACKUS,
A U C T I O N E E R ,

El Dorado Salesroom, Yates street,

Will attend to Sales of Merchandise, Vessels and

Real Estate.

Sale days—TUESDAY, THURSDAY, and SATUR-

DAY. 430 fm

1/2 Real Estate for sale at private sale.

UNDERTAKING.

THE UNDERSIGNED HAVING A COMPLETE
Stock on hand, is now prepared to execute any
order therewith, on the shortest notice and on the
most reasonable terms.

The Trade Supplied.

R. LEWIS,

Corner of Government and Brantford streets,

Victoria. ja3-11

Steam Boat Hull
FOR SALE.

J. A. McCREA, Auctioneer,

Has instructions to sell by Auction

AT SALESROOM, WHARF STREET,

At 11 o'clock, A. M.

On the 22nd of January, 1861,

Unless previously disposed of by private sale.

The new Steamboat Hull now on the stocks at the

Building Yard of Mr. Laing. She is 69 feet long,

with 14 feet beam—built on the exact model of the

“Fort York”—finished in the most careful manner,

and quite ready for launching.

ja3-11

INSTRUCTION IN SPANISH.

A GENIE LATELY ARRIVED in Victoria, from South America and having a thorough knowledge of the Spanish language is desirous of forming an EVENING CLASS on three evenings in the week, from 7 to 9 o'clock, P.M.

The lessons could be given on any days in the week agreed upon, by the pupils.

For particulars inquire at the “COLONIST” Office,

or at the Waunt Office, City Wharf, at the foot of Yates street.

ja3-11

MACDONALD & CO.,

Office on Yates street,

SELL CHECKS AT SIGHT ON TALLANT

& WILDE, Bankers, San Francisco.

Furnish Bills of Exchange in sums to suit, and at

current rates on New York and London.

Pay highest prices for Bars and Gold Dust.

Make advances on Gold Dust for assay or coinage

in San Francisco.

Purchase Navy Bills and Bills on London.

de7-11

JAMES G. POSTON,

Last in the employ of Sporborg & Co.

A C C O U N T A N T, C O L L E C T O R, C O N-

V E T A N C E R, H O U S E A N D L A N D A G E N T,

etc., etc., etc.

Office (pro. tem) in the building lately occupied by

Sporborg & Co., Wharf street.

ja2-11

L. A. BLANC,

Watchmaker and Jeweler, Government street,

Victoria, V. I.

ON HAND—A FINE ASSORT-

ment of Watches, Clocks and Jewelry.

Particular attention paid to the Manufac-

ture of Watch Cases, Diamond and Quartz

Work, and all other kinds of Jewelry made to order

and repaired at shortest notice.

ja2-11

A. B. BULLER

HAS OPENED, AT THE CORNER

of Government and Brantford streets, an estab-

lishment for CLEANING and REPAIRING CLOTH-

ING. His experience in the Quaker City for the last

sixteen years, should be a sufficient guarantee for his

workmanship. Call and examine samples of work.

ja1-11

TWO ELEGANT SETS OF PARLOR

FURNITURE, for sale by

P. M. BACKUS, Yates street.

ja2-11

COFFEE SALOON,

GOVERNMENT St. bet. YATES AND JOHNSON

MEALS FURNISHED at ALL HOURS

on the shortest notice and best style.

THE FINEST WINES, PORTER, ALE

—AND—

SEGARS,

d21 fm

Hurrah for Cheap Living

OPPOSITION TO ALL,

AT FRANK'S (formerly Minor's) RESTAURANT,

On Waddington Alley, near Yates street.

Just received, the latest styles of

BALTIMORE HAVING GREATLY

enlarged his Culinary Department, takes pleasure

in informing the public generally that he will,

after the first of January, open his Restaurant in an

entirely new style. He will thereafter lay on his

table, a bill of Fare, so that his customers can eat

whatever best suits their taste. Having had many

years' experience in his business, and taking the

head of the Cooking Department himself, he feels

assured that none can give better or cheaper meals

than him. All the delicacies as well as the substantial

meals of the season at from 6 1/2 to 12 1/2 cents a plate.

11 fm

FRANCOIS FABRE,

Waddington Alley, between Yates and

Johnson Streets.

THE PUBLIC ARE INFORMED that

his well known Restaurant has been entirely

referred and furnished, and is now open for custom.

Board and Lodgings per week..... \$7.00

Best of Wines and Cigars constantly on hand.

All my old friends and customers are invited to

give me a call and partake of a dish of HAGGIS.

ja7 fm

COFFEE SALOON,

400 SACKS LINN CITY MILLS Extra

FLOUR,

400 sacks Golden Gate Extra Flour,

J. J. SOUTHGATE & Co.,

Wharf street.

d22 fm

FRANCOIS FABRE,

Waddington Alley, between Yates and

Johnson Streets.

THE PUBLIC ARE INFORMED that

his well known Restaurant has been entirely

referred and furnished, and is now open for custom.

Board and Lodgings per week..... \$7.00

Best of Wines and Cigars constantly on hand.

All my old friends and customers are invited to

give me a call and partake of a dish of HAGGIS.

ja7 fm

COFFEE SALOON,

400 SACKS LINN CITY MILLS Extra

FLOUR,